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02 FEB -8 PM 1:39
RICHARD W. HICKMAN
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EMC

Larry D Briggs S Plaintiff,

vs.

Sanmina-SCI Defendant(s).

CV 08 0870

CASE NO. ~~485-2006-00378~~

EMPLOYMENT DISCRIMINATION
COMPLAINT

1. Plaintiff resides at:

Address 1631 Fir Street

City, State & Zip Code Los Banos CA. 93635

Phone (209) 821-0852

2. Defendant is located at:

Address 122 Lindbergh Ave.

City, State & Zip Code Livermore CA. 94551

3. This action is brought pursuant to Title VII of the Civil Rights Act of 1964 for employment discrimination. Jurisdiction is conferred on this Court by 42 U.S.C. Section 2000e-5. Equitable and other relief is sought under 42 U.S.C. Section 2000e-5(g).

4. The acts complained of in this suit concern:

a. ☐ Failure to employ me.

b. ☒ Termination of my employment.

1 c. ☐ Failure to promote me.

2 d. ☒ Other acts as specified below.

3 I began employment on December 13, 2005.

4 I held the position of Machinist CNC mill

5 I was discharged on September 1, 2006. No reason

6 was given for my discharge. My Supervisor

7 was Mr. Carlos Colon. Mr. Colon would make racial

8 statements, including but not limited to. Calling me a shop
monkey.

9 5. Defendant's conduct is discriminatory with respect to the following:

10 a. ☒ My race or color.

11 b. ☐ My religion.

12 c. ☐ My sex.

13 d. ☐ My national origin.

14 e. ☐ Other as specified below.

15
 16 6. The basic facts surrounding my claim of discrimination are:

17 Threatening to get my Black a - (expletive) Fired.

18 and telling me not to hang around that kind of

19 Click (referring to other Black employees).

20 I was the only Black CNC machinist who

21 worked under Mr. Colon. Mr. Colon was

22 hostile toward me and would treat me differently

23 than other employee counterparts who were

24 not Black. I reported Mr. Colon to Anna (LNU) in H.R.

25 7. The alleged discrimination occurred on or about 12-14-05 / 05-17-06

26 (DATE)

27 8. I filed charges with the Federal Equal Employment Opportunity Commission (or the

28 California Department of Fair Employment and Housing) regarding defendant's alleged

discriminatory conduct on or about 09-06-06.

(DATE)

9. The Equal Employment Opportunity Commission issued a Notice-of-Right-to-Sue letter
(copy attached), which was received by me on or about 11-15-07.

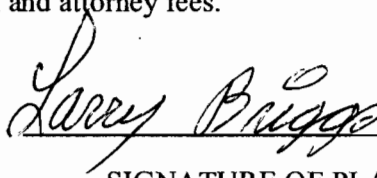
(DATE)

10. Plaintiff hereby demands a jury for all claims for which a jury is permitted:

Yes ☒ No ☐

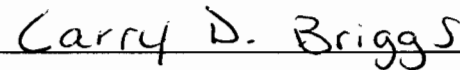
11. WHEREFORE, plaintiff prays that the Court grant such relief as may be appropriate,
including injunctive orders, damages, costs, and attorney fees.

DATED: 02-08-08



SIGNATURE OF PLAINTIFF

(PLEASE NOTE: NOTARIZATION
IS NOT REQUIRED.)



PLAINTIFF'S NAME

(Printed or Typed)

EEOC Form 161 (3/98)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Larry D. Briggs**
1631 Fir Street
Los Banos, CA 93635

From: **Fresno Local Office**
2300 Tulare Street
Suite 215
Fresno, CA 93721



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

485-2006-00375

Maria Marquez,
Investigator

(559) 487-5795

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.



Having been given 30 days in which to respond, you failed to provide information, failed to appear or be available for interviews/conferences, or otherwise failed to cooperate to the extent that it was not possible to resolve your charge.



While reasonable efforts were made to locate you, we were not able to do so.



You were given 30 days to accept a reasonable settlement offer that affords full relief for the harm you alleged.



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

Enclosures(s)

On behalf of the Commission


Melissa Barrios,
Director

11/15/07
 (Date Mailed)

cc: **SANMINA-SCI**
Debbie Demetry
Manager Corporate Employee Relations
2700 North First Street
San Jose, CA 95134